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Policy Advisory Council
May 8, 2013
Draft Minutes - Revised

Chair Dolly Sandoval called the meeting to order at 1:37 p.m. Members in attendance were Naomi Armenta, Cathleen Baker, Jim Blacksten, Richard Burnett, Carlos Castellanos, Bena Chang, Elizabeth Clary, Wilbert Din, Richard Hedges, Dolores Jaquez, Linda Jeffery Sailors, Randi Kinman, Federico Lopez, Marshall Loring, Kendal Oku, Lori Reese-Brown, Gerald Rico, Alan Talansky and Egon Terplan. **Excused:** Sandi Galvez and Tina King Neuhausel. **Absent:** Joanne Busenbark, Yokia Mason, Tanya Narath, and Frank Robertson.

Approval of April 2013 Meeting Minutes

The April 10, 2013 minutes were revised to reflect that Elizabeth Clary was excused, not absent. The revised April 10, 2013 meeting minutes were unanimously approved after a motion by Mr. Hedges and a second by Mr. Oku.

Public Comment

There was no public comment.

Subcommittee Reports

Ms. Armenta reported that the Equity and Access Subcommittee met earlier in the day to review the Federal Transit Administration (FTA) Section 5310 FY 12 Draft Regional Rankings. MTC staff gave the subcommittee some background on the 5310 program — a federal source of funding primarily used by non-profit agencies for vehicle and other capital procurement – and went over the list of projects and how they were scored and ranked, as well as the schedule for finalizing the project list. The list also went before the Programming and Allocations Committee earlier in the day, and will go before the Commission for approval on May 22nd. The Draft Regional Rankings will be presented to Caltrans for final scoring, and awards will be made later this year. The subcommittee discussed challenges around the application process and offered to provide assistance in making improvements.

Draft Plan Bay Area Discussion

Chair Dolly Sandoval led a discussion about the various Plan Bay Area documents, inviting Council members to make general remarks, as well as comment on the various land-use alternatives, transportation investment strategies and policy tools. MTC Principal Planners Carolyn Clevenger and Doug Johnson were also present to answer any questions the Council might have during the discussion. Ms. Clevenger reminded the Council that the public comment period for Plan Bay Area and its accompanying Environmental Impact Report

Draft Plan Bay Area Discussion (continued)

(EIR) is May 16. She also mentioned that while an extension of the comment period will be requested at the May 10th Joint MTC Planning and ABAG Administrative Committees, staff will recommend against that extension. At the June 14th Joint MTC Planning and ABAG Administrative Committee meeting, recommendations will be discussed and forwarded to MTC and ABAG Boards for a final decision in July. Since the Council meets in June two days prior to that joint meeting, the Council could forward its final comments to the Joint Committee at that June 14th meeting. MTC staff is willing to return to the Policy Advisory Council's June meeting to answer additional questions if needed.

Following some discussion organizing the meeting, the Council made comments surrounding the following topics.

General Comments

- Housing near transit needs to be supported better in the plan and with local communities; it should be supported with legislation recommendations.
- The plan will create a lot of wealth through development. There should be a strong emphasis on a living wage and keeping the wealth/work within our region.
- Ensure that as the plan focuses on Priority Development Areas (PDAs), other important issues in the community and region are also prioritized.
- This is a region-wide plan, but it does not make changes to local land-use decisions; there are limitations that should be recognized.
- The vision of the plan is for the Bay Area, but it is built around the consensus of local governments. Therefore, it does not focus growth in PDAs objectively, and that's an important distinction.
- There is an economic concern that local governance has not caught up with the Plan and does not yet understand and embrace what should occur within their PDAs, which will likely be underdeveloped. The plan should incentivize local communities to develop their PDAs as good living, working communities.
- MTC needs to continue to coordinate with local municipalities /governments who are updating their General Plans and Specific Plans to ensure they align with Plan Bay Area.
- Project implementation following the planning and zoning process is not always occurring in the way intended, and sometimes local governments face major obstacles.

In addition, public comment was given by Jane Kramer, who suggested emphasis should be given on local jurisdictions to define "community" – there should be a flexible policy that allows neighborhoods and local jurisdiction to do that. There should also be some thought given to developing real local economies that allows communities to own a basic interest in the economic system.

Draft Plan Bay Area Discussion (continued)

The Council continued their discussion on the following topics.

Land Use and EIR Alternatives

- Regarding the EIR impacts and mitigations summary:
 - In considering areas subject to sea level inundation and in pushing forward climate adaption plans, suggest MTC partner with local, regional and state public health agencies in defining medically vulnerable communities.
 - Regarding the increased need for and use of facilities, schools, emergency services, etc. due to population growth, mitigations and solutions offered should include language stating the need to maintain quality of life and how we can identify new revenue sources to make that happen.
 - Relating to phasing in affordable units after fleet turnover to ensure reduced exposure to roadway emissions, if production is held off until 2023, this doesn't do a lot to help equity. Strategies should be developed to phase in those units over time.
- Without a strong partnership with and buy-in from local jurisdictions, PDAs will not be implemented. The OneBayArea grant is a step in the right direction, but incentives or rewards should also be put in place for those jurisdictions that are bold enough to nominate their local areas as a PDA.
- Infrastructure improvements lead to increases in land value, which could lead to displacement. Mitigations to address that should be present in this document, along with suggestions for how cities can capture that added value of putting in the infrastructure to include affordable housing.
- Provide assistance to cities regarding revising their urban growth boundaries, as there are some cities that require voter approval in order to change them.
- Consider applying benefit-based zoning (including air rights and density) to the plan to help solve some of the issues.
- The PDA framework is strong because it is connected to local priorities. The next plan should check the effectiveness of PDAs (i.e., do they actually have the level of transit service around which they were originally planned) and possibly reconsider the criteria for PDAs, or consider tiered funding based on effectiveness.
- PDA performance needs to be more central to the plan in order for the PDA growth and investment strategies to really advance land-use priorities.
- Standardized definitions of terms such as “proximate access” and “adjacent to transit” need to be adopted in order to strengthen the purpose of PDAs.
- Employment densities should also be added to the PDA framework.
- Existing deficiencies are not being addressed by PDAs and that needs to be considered (possibly finding ways to incentivize addressing those deficiencies).

Draft Plan Bay Area Discussion (continued)

Transportation Investments

- The CEQA appeals process should be limited in areas involving transit.
- The alternative that does not include Express Lane Network expansions does not consider the level of traffic and need; public transit will not replace the use of cars.
- Support converting freeway lanes to accommodate for bus use as much as possible.
- Include express bus stops when building express lanes.
- Support converting freeway lanes to accommodate for bus use as much as possible.
- Include express bus stops when building express lanes.
- The timing of the Express Lane proposal might need to be delayed until the public can see the need; consider building lanes in areas as the congestion increases in that corridor.
- Future policies should allow for converting mix-flow lanes into express lanes.
- Future policies need to tie transit to the Express Lanes; i.e., use Express Lanes to create the incentives, policies and systems that would get people out of their car and onto transit.
- In terms of prioritizing Express Lane, conversion of lanes should be first, then connections, and lane extensions should be last.
- Transit connectivity should be a priority.
- Consider increasing the minimum number of people required in a car utilizing HOV lanes to three.
- Regarding traffic congestion relief, there is a need to increase signs on the freeway encouraging drivers to move off the freeway following an accident (as they have in Southern California).

Equity

- Focus on ethnic communities and communicating with them so they have input into creating development that meets their needs. This will ensure PDAs have cultural relevance for the people who live there.
- The impact to low-income families and the possibility of gentrification due to the establishment of PDAs should be addressed in the plan.
- PDAs should have an emphasis on providing infrastructure for low-income housing adjacent to transit.

Draft Plan Bay Area Discussion (continued)

Public Participation

- Public participation should be coordinated with local communities and standardized.
- Public participation at the local level is often not carried out in earnest; one example is the CMA stakeholder participation for the growth and investment strategy, which was carried out within the CMA's own advisory group and a meeting of the planning directors. MTC should provide strong guidance to local jurisdictions as to how public participation should be carried out – this is an equity issue since many decisions are made at the local level.
- Many times public participation only occurs after a project has already been zoned or is already in the process of implementation and does not involve informing the local community in a timely manner and creating a means for individuals to participate.
- MTC needs to improve communication with immigrant communities, and should consider creating a layman's reference book that explains regional transportation planning.
- Consider creating a survey for CMAs to complete to see how effective their outreach efforts were.
- MTC should complete the community based transportation plans.

Policy Tools

- MTC and ABAG should continue to explore the possibility of a fee on high VMT areas such as was tested in Alternative 3 (similar to the Air District's ability under the indirect source rule), and possibly incorporate in a future plan.
- Support lowering the vote threshold for transportation projects.
- Redevelopment 2.0 is needed for urban renewal as well as a financing mechanism for the region.
- CEQA modernization is important in order to shift the focus back to environmentalism and not others things it has been used for.

Advocacy

- Advocate for a state fuel extraction tax.
- MTC should seek to obtain the authority to convert mix-flow lanes into express lanes.
- Advocate for the defiscalization of land-use decision making and should support the sharing of sales taxes between neighboring jurisdictions.

The council appointed an ad hoc subcommittee (Egon Terplan chairing, Cathleen Baker, Richard Burnett, Carlos Castellanos and Marshall Loring), to review the issues brought up at this meeting and come back to next month's Council meeting with a suggestion of Council's official comments to the Commission. Once the Council finalizes its comments at the June meeting, they can be forwarded to the June 14th Joint MTC Planning/ABAG Administrative Committee.

Staff Liaison Report

Staff liaison Pam Grove presented her report, reminding the Council that the Policy Advisory Council application deadline is May 10, 2013. Ms. Grove also reminded the Council of the May 16 deadline for the Plan Bay Area comment period and encouraged the members to visit the OneBayArea Town Hall to post their comments at <http://onebayarea.org/misc/open-town-hall.html>. Ms. Grove concluded her report announcing the recently published 2012 MTC Annual Report is available as a hard copy and can also be found online at <http://www.mtc.ca.gov/library/AnnualReport-12/>.

Council Member Reports

Mr. Din reported that he attended the Plan Bay Area meeting in San Francisco where over 100 people attended. He stated that one major comment was regarding the lack of a mitigation process for potential housing displacement.

Mr. Burnett reported that he also attended the meeting at the Solano County Fairgrounds where a few dozen people attended. He noted that the public appears to be not necessarily informed and has a bad perception of the Plan Bay Area process. They were asking questions that should have been answered a long time ago. Staff should look at ways to improvements the process of educating the public.

New Business

There was no new business.

Adjournment/Next Meeting

The meeting was adjourned at 3:41 p.m. The next Policy Advisory Council meeting is scheduled for June 12, 2013 in the Auditorium, Joseph P. Bort MetroCenter, Oakland, California.